

REMARKS/ARGUMENTS

Claims 2, 7, and 12 have been cancelled. Claims 1, 6, 11, and 13 to 15 have been amended (underlining indicating added text; square brackets and strikeouts indicating deleted text). All amendments are supported by the present application. No new matter has been added. Claims 1, 3 to 6, 8 to 11, and 13 to 16, are now pending in the present application.

In view of the foregoing amendments and the following remarks, Applicants respectfully request allowance of the application.

35 U.S.C. § 101

Claims 11 to 15 were rejected under 35 U.S.C. § 101 for allegedly being directed to non-statutory subject matter. Applicants have amended claims 11 and 13 to 15 to be directed to a “computer-readable medium encoded with a computer-executable program to perform the method.” Claim 12 was cancelled. Applicants respectfully submit that claims 11 and 13 to 15 as amended recite statutory subject matter. Accordingly, Applicants request that the rejection of claims 11 and 13 to 15 under 35 U.S.C. § 101 be withdrawn.

35 U.S.C. § 102

Claim 16 was rejected under 35 U.S.C. § 102(b) as being anticipated by “Enhancing an Open Source UML Editor by Context-Based Constraints for Components” (“Skinner reference”).

The Skinner reference purportedly concerns a computer system for testing software in which the unit tests are all performed in batch and linear form, and are performed independent of one another. *See* Skinner reference at page 27. In contrast, amended claim 16 requires, among other things, “wherein each operation includes a collaborative behavior of a plurality of classes.”

Accordingly, the Skinner reference does not identically – as it must for anticipation – recite all of the features of claim 16. Applicants respectfully submit that amended claim 16 is allowable, and respectfully request withdrawal of the rejection under 35 U.S.C. § 102(b) of claim 16.

35 U.S.C. § 103(a)

Claims 1 to 15 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the Skinner reference in view of “Test Case Prioritization: A Family of Empirical Studies” (“Elbaum reference”).

Claims 1 to 15 recite features analogous to those of claim 16, including the feature of “wherein each operation includes a collaborative behavior of a plurality of classes.” Accordingly, claims 1 to 15 are allowable over the Skinner reference for essentially the same reasons as for claim 16.

The Elbaum reference does not cure the deficiencies of the Skinner reference. The Elbaum reference purportedly concerns test case prioritization. The Elbaum reference’s definition of test case prioritization, however, merely means identifying the most important tests and running them first in order to improve the accuracy and speed of testing a particular piece of software. *See* Elbaum reference at page 159. Like the Skinner reference, the Elbaum reference appears to teach running tests in a batch and linear form, and also does not teach the feature of “wherein each operation includes a collaborative behavior of a plurality of classes,” as recited in claim 1 of the present application. Accordingly, Applicants respectfully submit that claim 1 is allowable over the combination of the Skinner and Elbaum references. Claims 2 to 15 either depend from and/or recite features analogous to those of claim 1, and are allowable for essentially the same reasons.

Accordingly, it is respectfully submitted that the rejection of claims 1 to 15 under 35 U.S.C. § 103(a) over the Skinner reference in view of the Elbaum reference should be withdrawn.

CONCLUSION

In view of all of the above, it is believed that the rejections of the claims under 35 U.S.C. §§ 101, 102(b), 103(a) have been obviated, and that all currently pending claims 1, 3 to 6, 8 to 11, and 13 to 16 are allowable. It is therefore respectfully requested that the rejections be reconsidered and withdrawn, and that the present application issue as early as possible.

If it would further allowance of the present application, the Examiner is invited to contact the undersigned at the contact information shown below.

Respectfully submitted,

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